

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 12, 2004 LB 449, 923

all voted? Record please, Mr. Clerk.

CLERK: 25 ayes, 1 nay, Mr. President, on the adoption of Senator Preister's amendment.

SENATOR CUDABACK: The motion was successful.

CLERK: Mr. President, Senator Schrock would move to amend with AM2604. (Legislative Journal pages 622-627.)

SENATOR CUDABACK: Senator Schrock, to open on AM2604.

SENATOR SCHROCK: Mr. President, members of the Legislature, this amendment is LB 923, as amended by the committee and advanced out of the committee to General File. This bill needs to be passed this year so the Department of Environmental Quality can enter into a memorandum of agreement with the Federal Environmental Protection Agency so that we can access funds under the Remedial Action Plan Monitoring Act. This memorandum of agreement will recognize the adequacy of our state program and will ensure that the Environmental Protection Agency will not investigate sites that successfully complete cleanup activities under our state program. The recently enacted Federal Small Business Liability Relief and Brownfields Revitalization Act provides certain protections from federal liability at contaminated sites to participants in acceptable states' voluntary programs that identify minimum criteria for acceptable states' voluntary cleanup programs and continued eligibility for federal grants. The bill, as amended by the committee, would require a public hearing if the director determines that the comments, requests or petitions for a public hearing raise legal, policy, or discretionary questions of general application, and significant public interest exists. Under our current law, 11 sites have been cleaned up. Some examples of sites that have been used...have used this law or are currently in the process of cleanup under this law are the Havelock rail yard and maintenance facility in Lincoln, a former petroleum refinement in Scottsbluff, a former police garage and surface parking lot in Lincoln, former metal plating facility in Lincoln, former piston ring machining operation in Hastings, former traffic engineering department and "compoundment" lot for